

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**WINGS AS EAGLES  
DELIVERANCE MINISTRY**  
Plaintiff

Case No.  
Hon.

**v.**

**CITY OF DETROIT**  
a municipal corporation;  
**COUNTY OF WAYNE**  
a municipal corporation; and  
**DETROIT LAND BANK AUTHORITY,**  
a public body corporate

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**METRO DETROIT LITIGATION GROUP**  
**BY: STUART SANDWEISS (P60921)**  
Attorney for Plaintiff  
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Southfield, MI 48075-2693  
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stuart@metrodetroitlitigation.com

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**COMPLAINT AND JURY DEMAND**

Plaintiff Wings As Eagles Deliverance Ministry through  
counsel, for its Complaint Defendant City of Detroit, Michigan (the  
“City”); County of Wayne (the “County”); and Detroit Land Bank  
Authority (the “DLBA”); (collectively “Defendants”) states:



## INTRODUCTION

1. This case concerns Defendants' unconstitutional taking of Plaintiff's Church Property because Plaintiff allegedly owed property taxes for the Property -- even though Plaintiff is a tax-exempt ecclesiastical corporation who received a real estate tax exemption approval from Defendant City of Detroit on December 11, 2007.

2. Subsequent to that date Defendant City wrongfully assessed taxes against Plaintiff and, according to the records kept by the Wayne County Register of Deeds, Defendant Wayne County ultimately recorded a Judgment of Foreclosure against the Church Property. Subsequently, Defendant Wayne County transferred the Church Property to Defendant Detroit Land Bank Authority via a Quit Claim Deed.

3. Through this lawsuit Plaintiff seeks damages against Defendants for violating Plaintiff's constitutional rights by taking the Church Property without paying just compensation in violation of both the 5th Amendment to the United States Constitution as applied to the states via the 14th Amendment as well as Article X,



Section 2 of the State of Michigan Constitution.

4. Plaintiff also brings this action pursuant to 42 U.S.C. §1983 for declaratory judgment, injunctive relief, actual and nominal damages, and other relief arising from Defendants' unconstitutional policies and practices.

5. Additionally, Plaintiff seeks to Quiet Title to the Church Property.

### **PARTIES, JURISDICTION AND VENUE**

6. Plaintiff Wings As Eagles Deliverance Ministry (the Church) is an ecclesiastical corporation incorporated in the State of Michigan on April 3, 2002. See Exhibit 1.

7. Plaintiff's registered address is 8315 Marcus, Detroit, Michigan 48213 (the "Property") where Plaintiff operates a ministry (the "Church"). The Registered Agent is Kennard Pettaway (a/k/a Pastor Pettaway).

8. Defendant City of Detroit ("City") is a municipal corporation located within Wayne County, Michigan; it is created and existing under and by virtue of the laws of the State of Michigan. In fulfilling its duties, the City acts by and through



various departments and public officials.

9. Defendant County of Wayne (“County”) is a municipal corporation located in Wayne County, Michigan. In fulfilling its duties, the County acts by and through various departments and public officials.

10. Defendant Detroit Land Bank Authority (“DLBA”) is a public body corporate organized pursuant to the Michigan Land Bank Fast Tract Act, 2003 P.A. 258, being MCL §§124.751 – 124.774 and a Second Amended and Restated Intergovernmental Agreement entered into between DLBA and Defendant City effective as of December 23, 2013. The DLBA is located at 65 Cadillac Square, Suite 3200, Detroit, Michigan 48226.

11. All actions by the Defendants and/or their officers, agents, servants, employees or person acting on their behalf or direction that are described in this lawsuit were done and are continuing to be done under color of state law, which caused or is causing the deprivation of Plaintiff’s rights protected by the United States Constitution and/or the State of Michigan Constitution.

12. Accordingly, this Court has subject matter jurisdiction



over this case pursuant to 28 U.S.C. § 1331, as this action arises under the First, Fifth, and Fourteenth Amendments to the United States Constitution; under 28 U.S.C. § 1343(a)(3), in that it is brought to prevent imminent deprivations, under color of state law, of rights, privileges and immunities secured by the United States Constitution; under 28 U.S.C. § 1343(a)(4), in that it seeks to recover damages and secure equitable relief under an Act of Congress, specifically, 42 U.S.C. § 1983, which provides a cause of action for the protection of civil and constitutional rights; under 28 U.S.C. § 2201(a), to secure declaratory relief; under 28 U.S.C. § 2202, to secure preliminary and injunctive relief and damages; and under 42 U.S.C. § 1988 to grant Plaintiff's prayer for relief regarding the recovery of costs, including damages, restitution, and reasonable attorney fees.

13. To the extent necessary, this Court has supplemental jurisdiction over Plaintiff's state law claims pursuant to 28 U.S.C. §1367.

14. Venue is proper within this judicial district and division pursuant to 28 U.S.C. § 1391(b) as Defendants are situated within



this judicial district and division, (ii) the Defendants transact business within this District, (iii) the conduct complained of occurred within this district and division; and (iv) the affected property is located within this district and division.

### **FACTS**

15. Plaintiff was incorporated as an ecclesiastical corporation on April 3, 2002. See Exhibit 1.

16. As is evidenced by an October 7, 2014 letter (Exhibit 2) from the Internal Revenue Service (“IRS”) Plaintiff received tax exempt status pursuant to Section 501(c)(3) of the Internal Revenue Code in June 2003.

17. On or about March 1, 2004, via a Quit Claim Deed from Rosalyn Woodward, Plaintiff acquired the Church Property located at 8315 Marcus, Detroit, Michigan 48213 that is legally described as:

N MARCUS 138 BESTE-MARTIN SUB L32 P68 PLATS, WC R  
17/423 30.60 X 117  
Tax Parcel LD. No. 17001684

(the “Property”) where Plaintiff operates a ministry (the “Church”). See Exhibit 3.



18. Subsequently, Plaintiff applied to Defendant City of Detroit to request a property tax exemption on the Property where Plaintiff operates the ministry.

19. On December 11, 2007 Defendant City notified Plaintiff that Defendant City granted the real estate exemption beginning in tax year 2008. See Exhibit 4.

20. Notwithstanding, upon information and belief, Defendant City continued to assess real estate taxes as, according to the records kept by the Wayne County Register of Deeds, Defendant County recorded a Certificate of Forfeiture against the Property on April 3, 2012 for “Non Payment Of Real Property Tax Year 2010.” See Exhibit 5.

21. Upon information and belief, Defendant City also assessed a real estate tax in 2011 as the Wayne County Register of Deeds shows that Defendant County Recorded a Certificate of Forfeiture Of Real Property against the Property on March 14, 2013 for “Non Payment Of Real Property Tax Year 2011.” See Exhibit 6.

22. According to records kept by the Wayne County Register of Deeds Defendant County recorded a Notice of Judgment Of



Foreclosure against the property on September 10, 2014 based upon the March 14, 2013 recording of the forfeiture notice. See Exhibit 7.

23. According to the records kept by the Wayne County Register of Deeds, on January 6, 2015 Defendant County recorded a Quit Claim Deed conveying the Church Property to Defendant DLBA for the full consideration of \$0. See Exhibit 8.

24. Even after Defendant County recorded the Quit Claim Deed to DLBA, it appears that Defendant City continued to assess real estate taxes against the Church Property as a June 26, 2017 Tax Statement (Exhibit 9) indicates delinquent real property tax for the 2016 tax year.

25. On February 27, 2020 Defendant DLBA filed a Complaint in the Wayne County Circuit Court (the “Circuit Court Action”) seeking to expedite a Quiet Title proceeding and foreclosure under the Land Bank Fast Track Act wherein the DLBA seeks to extinguish Plaintiff’s interest in the Church Property.

26. Plaintiff is defending the Circuit Court Action. However, due to the expedited procedure pursuant to the Land Bank Fast Track Act, the Wayne County Circuit Court instructed





that Plaintiff that it could not challenge title to the Property in that action, but rather would have to challenge title to the Property and/or seek to Quiet Title to the Property in a separate action.

27. Thus, Plaintiff is filing this action seeking to quiet title to the Property and further seeking damages against Defendants for violating Plaintiff's civil rights in violation of the 1<sup>st</sup>, 5<sup>th</sup> and/or 14<sup>th</sup> Amendments to the United States Constitution and in violation of Article X, Section 2 and/or Article I, Section 4 of the State of Michigan Constitution by taking the Church Property for alleged non-payment of real estate taxes -- even though Defendant City agreed to exempt the Church Property from real estate taxes beginning in tax year 2008.

28. As will be further outlined below, as a direct and proximate result of Defendants' conduct, Plaintiff seeks damages against Defendants based on Defendants' numerous constitutional violations.

**COUNT I - VIOLATION OF THE "TAKINGS" CLAUSE OF THE 5<sup>th</sup> AMENDMENT TO THE UNITED STATES CONSTITUTION**

29. Plaintiff incorporates all other paragraphs of this Complaint into this Count by reference.



30. The “Takings Clause” of the 5<sup>th</sup> Amendment to the U.S. Constitution provides that private property may not be taken for public use, without just compensation.

31. Through the due process clause of the 14<sup>th</sup> Amendment to the United States Constitution, the Takings Clause applies to state and local governments such as Defendants.

32. By taking title to the Church Property when no real estate taxes were due (as the Church Property was exempt – see Exhibit 3) Defendants violated the 5<sup>th</sup> Amendment Takings Clause that is applied to Defendants via the due process clause of the 14<sup>th</sup> Amendment.

33. As a direct and proximate result of Defendants constitutional violations, Plaintiff suffered damages.

Wherefore, based on the violations of the takings clause of the 5<sup>th</sup> Amendment to the U.S. Constitution as applied to the states through the 14<sup>th</sup> Amendment, Plaintiff seeks compensatory damages from Defendants, jointly and/or severally, in an amount to be determined, plus interest, costs and attorney fees wrongfully sustained.



**COUNT II - VIOLATION OF THE “TAKINGS” CLAUS**  
**OF ARTICLE X, SECTION 2 OF THE**  
**STATE OF MICHIGAN CONSTITUTION**

34. Plaintiff incorporates all other paragraphs of this Complaint into this Count by reference.

35. Article X, Section 2 of the State of Michigan Constitution (the “State Takings Clause”) provides that “Private property shall not be taken for public use without just compensation therefore being first made or secured in a manner prescribed by law.”

36. By taking title to the Church Property when no real estate taxes were due (as the Church Property was exempt – see Exhibit 4) Defendants violated the State Takings Clause.

37. As a direct and proximate result of Defendants’ constitutional violations, Plaintiff suffered damages.

Wherefore, based on the violations of the takings clause found in Article X, Section 2 of the State of Michigan Constitution, Plaintiff seeks compensatory damages from Defendants, jointly and/or severally, in an amount to be determined, plus interest, costs and attorney fees wrongfully sustained.



**COUNT III – VIOLATIONS OF 42 USC §1983**

38. Plaintiff incorporates all other paragraphs of this Complaint into this Count by reference.

39. 42 USC §1983 provides for civil liability for deprivation of any right, privileges and immunities carried by the constitution and the laws of the United States and/or the State of Michigan pursuant to the carrying of custom and/or practice of the said governmental unit.

40. As was outlined above, Plaintiff was damaged by the unconstitutional taking of Plaintiff's Church Property for alleged non-payment of real estate taxes when, in fact, no real estate taxes were due, as Defendant City approved Plaintiff's exemption effective as of tax year 2008 (See Exhibit 4).

41. Moreover, Defendants are preventing Plaintiff from its constitutional right to occupy and use its property without interference by Defendants.

42. Given that Plaintiff operates a ministry (the Church) Defendants are further preventing Plaintiff from its free exercise of religion that is protected by the 1<sup>st</sup> Amendment to the United



States Constitution as applied to the states through the 14<sup>th</sup> Amendment and/or Article I, Section 4 of the State of Michigan Constitution.

43. At all material times, Defendants were acting under color of law and under the custom and practice of their respective governmental units.

44. Through the actions described in this Complaint, including the wrongful taking of Plaintiff's Church Property, Defendants, under color of law, willfully and wantonly eliminated and/or disregarded Plaintiff's constitutional rights including those conferred under the 1st and/or 5<sup>th</sup> Amendments to the United States Constitution (as applied to the states through the due process clause of the 14<sup>th</sup> Amendment), the 14<sup>th</sup> Amendment to the United States Constitution and Article X, Section 2 and/or Article I, Section 4 of the State of Michigan Constitution, and/or other laws of the United States and/or the State of Michigan.

45. Through their acts, Defendants have deprived Plaintiff of its property and related rights and are thus liable to Plaintiff pursuant to 42 USC §1983 that provides:



Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

46. Defendants are further liable to Plaintiff for the individual actions of their employees based on the doctrine of *respondeat superior*.

47. Defendants acted with deliberate indifference with regard to their actions and/or omissions described herein.

48. Defendants do not have qualified immunity for their actions as any reasonable person and/or employee of Defendant(s) should have known that such actions were in violation of the rights conferred to Plaintiff under the 1st and/or 5<sup>th</sup> Amendments of the United States Constitution (as applied to the states through the due process clause of the 14<sup>th</sup> Amendment), the 14<sup>th</sup> Amendment to the



United States Constitution and Article X, Section 2 and/or Article I, Section 4 of the State of Michigan Constitution, and/or other laws of the United States and/or the State of Michigan.

49. As a direct and proximate result of Defendants' actions, Plaintiff suffered damages, in addition to costs and attorney fees.

50. 42 USC §1988 provides that the Court may assess attorney fees in an action to enforce a provision of 42 USC §1983.

WHEREFORE, based on this Count, Plaintiff asks this Court to determine that Defendants violated Plaintiff's civil rights in violation of 42 USC §1983 and to award Plaintiff damages in an amount to be determined against Defendants jointly and/or severally, (including costs and attorney fees) for Defendant(s) violating Plaintiff's due process rights in violation of 42 USC §1983, together with exemplary and/or punitive damages, interest, costs and attorney fees.

#### **COUNT IV - UNJUST ENRICHMENT**

51. Plaintiff incorporates all other paragraphs of this Complaint into this Count by reference.

52. By taking Plaintiff's tax-exempt Church Property for



the alleged non-payment of real estate taxes that were not owed, Defendants have been unjustly enriched by the value of the Church Property.

53. Plaintiff now asks this Court to avoid injustice and the unjust enrichment of Defendants and to enter judgment in favor of Plaintiff and against Defendants, jointly and/or severally, in an amount to be determined based upon the value of the Church Property wrongfully taken from Plaintiff.

Wherefore, based on this Count, Plaintiff respectfully asks this Court to award Plaintiff damages in an amount to be determined against Defendants, jointly and/or severally, together with exemplary and/or punitive damages, interest, costs and attorney fees, to Defendants being unjustly enriched.

#### **COUNT IV – DECLARATORY RELIEF**

54. Plaintiff incorporates all other paragraphs of this Complaint into this Count by reference.

55. An actual controversy exists between Plaintiff and Defendants regarding the ownership of the Church Property as well as Defendants' violation of clearly established constitutional





rights.

56. Thus, Plaintiff is entitled to a declaration regarding the ownership of the Church Property as well as its rights regarding the the unconstitutional taking of the Church Property.

57. Accordingly, and pursuant to 28 U.S.C. §2201, Plaintiff asks the Court to declare and order that Plaintiff is the rightful owner of the Church Property; that based on the exemption approved by Defendant City no real property taxes are due for, or shall be assessed against, the Church Property; and that by taking the Church Property without paying Plaintiff just compensation, Defendants violated Plaintiff's rights established by the 1<sup>st</sup> and 5<sup>th</sup> Amendments to the United States Constitution (as applied to the states through the due process clause of the 14<sup>th</sup> Amendment), the 14<sup>th</sup> Amendment to the United States Constitution and Article X, Section 2 and/or Article I, Section 4 of the State of Michigan Constitution, and/or other laws of the United States and/or the State of Michigan.



Wherefore, pursuant to 28 U.S.C. §2201, Plaintiff asks the Court to declare and order that Plaintiff is the rightful owner of the

Church Property, that based on the exemption approved by Defendant City no real property taxes are due for, or shall be assessed against the Church Property, and that by taking the Church Property without paying Plaintiff just compensation, Defendants violated Plaintiff's rights established by the 1<sup>st</sup> and 5<sup>th</sup> Amendments to the United States Constitution (as applied to the states through the due process clause of the 14<sup>th</sup> Amendment), the 14<sup>th</sup> Amendment to the United States Constitution and Article X, Section 2 and/or Article I, Section 4 of the State of Michigan Constitution, and/or other laws of the United States and/or the State of Michigan.

**COUNT V – INJUNCTIVE RELIEF –  
QUIET TITLE TO PROPERTY**

58. Plaintiff incorporates all other paragraphs of this Complaint into this Count by reference.

59. As was outlined above, starting in 2004, Plaintiff had title to the Church Property.

60. As of the 2008 Tax Year Plaintiff was exempt from paying real estate taxes for the Church Property. See Exhibit 4.



61. Notwithstanding, Defendant City apparently assessed real estate taxes on the exempt property and, ultimately, transferred the tax claim to Defendant County who foreclosed on the Property and then transferred title to the Church Property to Defendant DLBA.

62. Given that, due to the exemption approved by Defendant City, no real estate taxes could have been due on the Church Property since 2008, it is readily apparent that Defendants City and/or County did not have the right to forfeit and/or foreclose on the Church Property and then transfer it to the DLBA.

63. Accordingly, pursuant to the Court's injunctive power, including the power provided by 28 U.S.C. §2202, Plaintiff ask this Court to declare and order that Plaintiff holds full legal and equitable title to the Church Property in fee simple, free and clear of any and all claims of Defendants; and quieting title to the Church Property forever in Plaintiff; and allowing Plaintiff to record such Order in the chain of title as evidence of title.

Wherefore, based on the foregoing, Plaintiff ask this Court to



declare and order that Plaintiff holds full legal and equitable title to the Church Property in fee simple, free and clear of any and all claims of Defendants; and quieting title to the Church Property forever in Plaintiff; and allowing Plaintiff to record such Order in the chain of title as evidence of title.

Dated: December 4, 2020

Respectfully submitted,

**METRO DETROIT  
LITIGATION GROUP**



**By: STUART SANDWEISS (P60921)**

ATTORNEYS FOR PLAINTIFF

18481 West Ten Mile Road

Suite 100

Southfield, Michigan 48075

(248) 559-2400

Fax (248) 971-1500

stuart@metrodetroitlitigation.com



## **LIST OF EXHIBITS**

- 1 Articles of Incorporation
- 2 October 7, 2014 Letter from IRS
- 3 March 1, 2004 Quit Claim Deed
- 4 December 11, 2007 Real Estate Exemption Letter
- 5 April 3, 2012 Certificate of Forfeiture
- 6 March 14, 2013 Certificate of Forfeiture
- 7 September 10, 2014 Notice of Judgment of Foreclosure
- 8 January 6, 2015 Quit Claim Deed
- 9 June 26, 2017 Tax Statement



BCS/CD-503 (Rev. 02/01)

MICHIGAN DEPARTMENT OF CONSUMER & INDUSTRY SERVICES BUREAU OF COMMERCIAL SERVICES	
Date Received <b>APR 01 2002</b>	(FOR BUREAU USE ONLY) <b>FILED</b> <b>APR 03 2002</b>
This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.	
Name Kennard Pettaway c/o Wings as Eagles Deliverance Ministry	Administrator BUREAU OF COMMERCIAL SERVICES
Address 8315 Marcus Street	
City Detroit	State MI
Zip Code 48213	EFFECTIVE DATE:

Trans: 03/03/02-1 03/18/02  
 QTR: 03/05/02 \$20.00  
 TO: KENNARD PETTAWAY

Document will be returned to the name and address you enter above.  
 If left blank document will be mailed to the registered office.

**ARTICLES OF INCORPORATION**  
**For use by Ecclesiastical Corporations**  
 (Please read information and instructions on the last page)

**774-416**

*We, the undersigned, desiring to become incorporated under the provisions of Act No. 327, P.A. of 1931, do hereby make, execute and adopt the following articles of association, to-wit:*

**FIRST**

The name assumed by this corporation and by which it shall be known in law, is:

Wings as Eagles Deliverance Ministry

**SECOND**

1. The location of said church or society shall be in the city (or village) of:

Detroit county of Wayne, and  
 State of Michigan.

2. The address of the registered office is:

8315 Marcus Street Detroit, Michigan 48213  
 (Street Address) (City) (Zip Code)

3. The mailing address of the registered office if different than above is:

8315 Marcus Street Detroit, Michigan 48213  
 (Street Address or P.O. Box) (City) (Zip Code)

4. The name of the resident agent at the registered office is: Kennard Pettaway

**THIRD**

The time for which the corporation shall be created shall be perpetual. (If term is for a fixed number of years, then state the number of years instead of perpetual.)

*JW*

## FOURTH

The members of the church or society shall worship and labor together according to the discipline, rules and usages of the None

church in the United States of America (or other jurisdiction as the case may be), as from time to time authorized and declared by the None

(Here insert the name of the higher ecclesiastical body or bodies, if any, authorized to determine such question)

## FIFTH (Insert any desired additional provision authorized by the Act; attach additional pages if needed.)

See attachment

In witness whereof, we, the parties hereby associating, for the purpose of giving legal effect to these articles hereunto sign our names and places of residence:

Done at the city (or village) of Detroit

county of Wayne and State of Michigan,

this 14th day of February, 2002

**This document requires at least three notarized signatures**

(Signatures) (No.) (Street) (City) (State) (Zip Code)

Annette Pettaway 8304 Marcus Detroit MI 48213  
Kennard Pettaway 8304 Marcus Detroit MI 48213  
Theresa Pettaway 8298 Marcus St. Detroit MI 48213

State of Michigan } ss.  
 County of Wayne

Subscribed and sworn to before me this 14th day of February, 2002

by Annette Pettaway, Kennard Pettaway, Theresa Pettaway  
 (NOTARY MUST LIST NAMES OF ALL PERSONS SIGNING)

[Signature]  
 (Signature of Notary)  
RAY SAATI  
 (Type or Print Name of Notary)

Notary Public for RAY TOUFIC SAATI County,  
Notary Public, Wayne County, MI  
 State of MI My Commission Expires Sep 12, 2005 2.25.02  
 My commission expires SEP. 12, 05

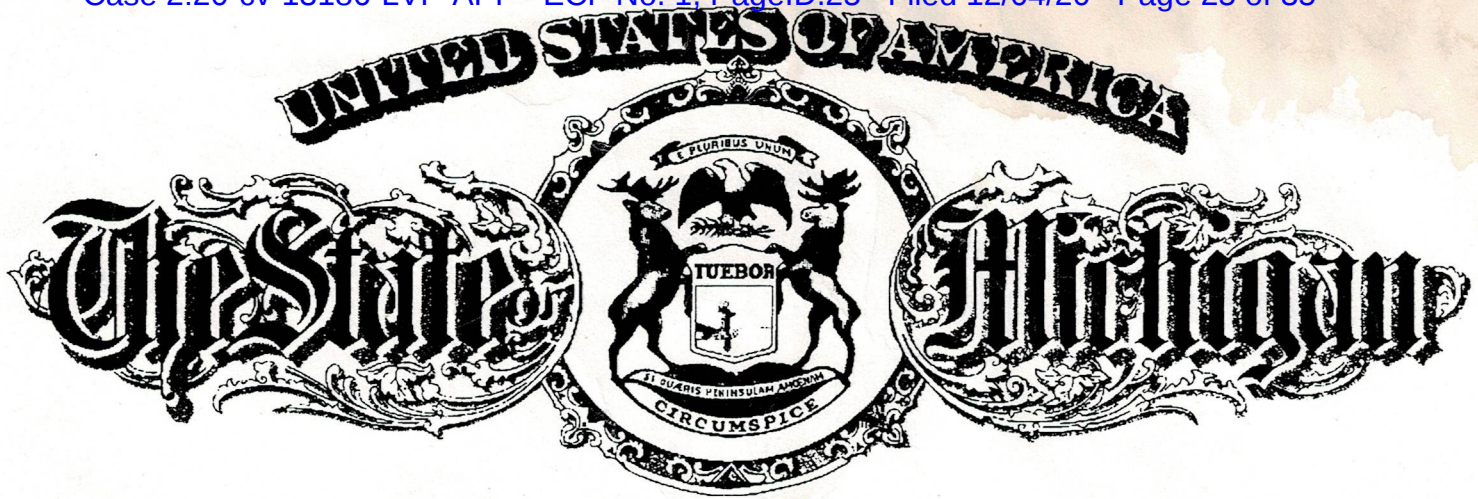
(Notary Seal)

**Article Five (5) of the  
Articles of Incorporation for  
Wings as Eagles Deliverance Ministry**

Said corporation is organized exclusively for charitable, religious, educational and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as an exempt organization under Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code. No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its member, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set for in this article. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation and the corporation shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office, notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Upon dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to state or local government for a public purpose. Any such assets not so disposed of shall be disposed of by the court of common pleas of the county to which the principal office of the corporation is located, exclusively for such purposes or to such organization or organizations as said court shall determine which are organized and operated exclusively for such purposes.





Department of Licensing and Regulatory Affairs

Lansing, Michigan

This is to Certify That

**WINGS AS EAGLES DELIVERANCE MINISTRY**

was validly incorporated on April 3, 2002, as a Michigan nonprofit corporation, and said corporation is validly in existence under the laws of this state.

This certificate is issued pursuant to the provisions of 1982 PA 162, as amended, to attest to the fact that the corporation is in good standing in Michigan as of this date and is duly authorized to conduct affairs in Michigan and for no other purpose.

This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.



In testimony whereof, I have hereunto set my hand, in the City of Lansing, this 1st day of April, 2013.

A handwritten signature in black ink, appearing to read "A. Schefke", is written over a horizontal line.

Alan J. Schefke, Director  
Corporations, Securities & Commercial Licensing Bureau



Department of the Treasury  
Internal Revenue ServiceP.O. Box 2508  
Cincinnati OH 45201In reply refer to: 0752853556  
Oct. 07, 2014 LTR 4168C 0  
01-0658866 000000 00

00023447

BODC: TE

*New one*WINGS AS EAGLES DELIVERANCE  
MINISTRY  
% KENNARD PETTAWAY  
8315 MARCUS ST  
DETROIT MI 48213-2112

004925

Employer Identification Number: 01-0658866  
Person to Contact: Tax Exempt & Government Entity  
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Sep. 26, 2014, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in June 2003.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(i).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website [www.irs.gov/eo](http://www.irs.gov/eo) for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

03487455 DEC 09 2004

STATE OF  
**MICHIGAN**WAYNE COUNTY  
DECEMBER 29, 2004  
RECEIPT #43713**REAL ESTATE  
TRANSFER TAX**\$ 5.50-CO  
\$ 37.50-ST  
STAMP #100500223Li-41824 Pa-320  
204607198 12/09/2004  
Bernard J. Youngblood  
Wayne Co. Register of Deeds**QUITCLAIM DEED**

**THIS QUITCLAIM DEED**, executed this 1st day of March, 2004, by first party, Grantor, Rosalyn Woodward whose post office address is 4411 Devonshire, Detroit, MI 48224-3662, to second party, Grantee, Kennard Pettaway on behalf of Wings as Eagles Deliverance Ministry, whose post office address is 8304 Marcus, Detroit, MI 48213-2113.

**WITNESSETH**, That the said first party, for good consideration and for the sum of five thousand dollars and no cents (\$5,000.00) paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Wayne, State of Michigan to wit:

Lot  
N MARCUS 138 BESTE-MARTIN SUB L32 P68 PLATS, W C R 17/423 30.60 X 117  
8315 Marcus Detroit, Michigan  
Parcel# 17001684

QCD 12-6R 2p S

Rev.  
+43.00 ✓  
+18.00  
+2.00

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

Jeannita Clark  
Signature of Witness

Rosalyn Woodward  
Signature of First Party

Jeannita Clark  
Print Name of Witness

ROSALYN WOODWARD  
Print Name of First Party

\_\_\_\_\_  
Signature of Witness

Rosalyn Woodward  
Signature of First Party

\_\_\_\_\_  
Print Name of Witness

Rosalyn Woodward  
Print Name of First Party

State of Michigan }  
County of Wayne }  
On March 1, 2004 before me,  
appeared

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Joyce M. Rogers  
Signature of Notary  
JOYCE M. ROGERS  
Notary Public, Wayne County, MI  
My Commission Expires Aug. 27, 2007

Affiant \_\_\_\_\_ Known \_\_\_\_\_ Produced ID \_\_\_\_\_  
Type of ID \_\_\_\_\_ (Seal)

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ }  
On \_\_\_\_\_ before me,  
appeared

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

\_\_\_\_\_  
Signature of Notary

Affiant \_\_\_\_\_ Known \_\_\_\_\_ Produced ID \_\_\_\_\_  
Type of ID \_\_\_\_\_ (Seal)

**RETURN TO:**

Grantee

Theresa Denise Pettaway  
Signature of Preparer

Theresa Denise Pettaway  
Print Name of Preparer

8298 Marcus, Detroit, MI 48213-2113  
Address of Preparer





CITY OF DETROIT  
FINANCE DEPARTMENT  
ASSESSMENT DIVISION

Coleman A Young Municipal Center  
2 Woodward Ave Suite 824  
Detroit, MI 48226

DECEMBER 11, 2007

WINGS AS EAGLES DELIVERANCE

8315 MARCUS

DETROIT

MI 48213

RE: APPLICATION FOR EXEMPTION OF REAL ESTATE TAXES

Parcel Item Numbers included in the exemption:

8315 MARCUS, 17-001684

BEGINNING TAX YEAR 2008

Dear Taxpayer:

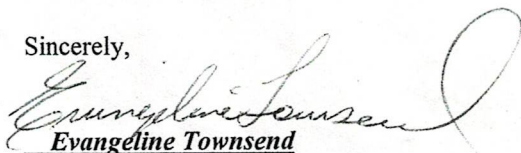
Your application for exemption of real estate taxes on the above referenced property has been reviewed. The exemption has been **granted**.

The exemption will begin with the tax year noted above and will continue for such time as the property is owned and occupied by the applicant and used for the purposes stated in your application.

If any changes occur, it is your responsibility to inform our office.

Should you have any questions, you may call the contact person between the hours of 8:30 am and 4:00 pm, per information as noted below.

Sincerely,

  
Evangeline Townsend

Head Clerk, Exemption Unit

313 224-3023

**KWAME M. KILPATRICK, MAYOR**

April 3, 2012 10:37 PM

Inst: 2012115553 Liber: 49696 Page: 701

Electronically Recorded

## EXHIBIT 5

### WAYNE COUNTY TREASURER CERTIFICATE OF FORFEITURE OF REAL PROPERTY

I hereby certify that on, March 1, 2012 the following real property was forfeited to the Wayne County Treasurer for NON PAYMENT OF REAL PROPERTY TAX YEAR 2010.

This property will be titled absolutely in the name of Wayne County Treasurer if not redeemed on or before the March 31 immediately succeeding the entry in an uncontested case of a judgment foreclosing the property under MCL 211.78k, or in a contested case, 21 days after the entry of a judgment foreclosing the property under MCL211.78k.

Taxpayer's Name and Address: **WINGS AS EAGLES DELIVERANCE**  
**0 P O BOX 13259**  
**DETROIT, MI 48213**

Property located in the CITY OF DETROIT, WAYNE COUNTY, MI 48213

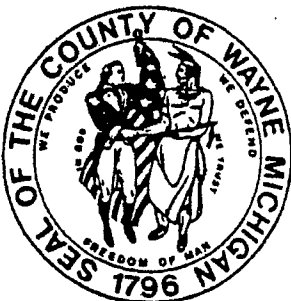
Property ID No: 17001684.

Property Description:

**N MARCUS LOT 138 BESTE-MARTIN SUB L32 P68 PLATS, W C R 17/423 30.60 X 117**

Commonly known as: **8315 MARCUS, DETROIT**

Dated this Day 4/3/2012



**Raymond J. Wojtowicz**

Wayne County Treasurer

March 14, 2013 07:19 PM

Inst: 2013123489 Liber: 50583 Page: 1205

Electronically Recorded

## EXHIBIT 6

### WAYNE COUNTY TREASURER CERTIFICATE OF FORFEITURE OF REAL PROPERTY

I hereby certify that on, March 1, 2013 the following real property was forfeited to the Wayne County Treasurer for NON PAYMENT OF REAL PROPERTY TAX YEAR 2011.

This property will be titled absolutely in the name of Wayne County Treasurer if not redeemed on or before the March 31 immediately succeeding the entry in an uncontested case of a judgment foreclosing the property under MCL 211.78k, or in a contested case, 21 days after the entry of a judgment foreclosing the property under MCL 211.78k.

Taxpayer's Name and Address: **WINGS AS EAGLES DELIVERANCE**  
**0 P O BOX 13259**  
**DETROIT, MI 48213**

Property located in the CITY OF DETROIT, WAYNE COUNTY, MI 48213

Property ID No: 17001684.

Property Description:

**N MARCUS LOT 138 BESTE-MARTIN SUB L32 P68 PLATS, W C R 17/423 30.60 X 117**

Commonly known as: **8315 MARCUS, DETROIT**

Dated this Day 3/13/2013



**Raymond J. Wojtowicz**

Wayne County Treasurer

2014375620 L: 51734 P: 1111 JOF

09/10/2014 12:53:22 AM Total Pages: 1

Bernard J. Youngblood, Register of Deeds - Wayne County, MI  
ELECTRONICALLY RECORDED**WAYNE COUNTY TREASURER  
NOTICE OF JUDGMENT OF FORECLOSURE**

Required By Section 211.78k(8) of the General property Tax Act, 1893 PA 206 as amended, MCL 211.78k(8)

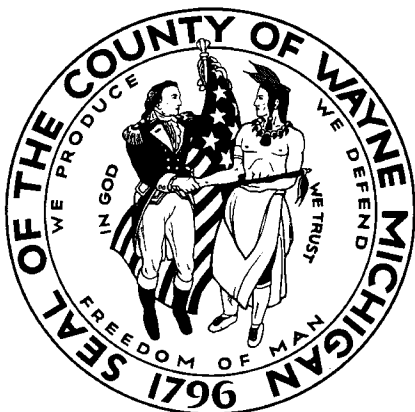
On March 28, 2014 in Civil Action No. 13-007698-CH, the Circuit Court for the Third Judicial Circuit, Wayne County, entered a Judgment of Foreclosure in the Matter of the Petition of the Wayne County Treasurer against the real property described below vesting absolute title to the real property described below in the Wayne County Treasurer as provided in Section 211.78k of the General Property Tax Act, 1893 PA 206, as amended, MCL.211.78k, if not redeemed within 21 days after entry of the Judgment. This Judgment became final and unappealable on March 31, 2014. The Judgment vests good and marketable absolute fee simple title in the Wayne County Treasurer. Any recorded or unrecorded interests and all liens are extinguished, except for future installments of special assessments and liens or interests recorded by the state or the foreclosing governmental unit pursuant to the natural resources and environmental protection act, 1994 PA 451, as amended.

Parcel ID #: 17001684.Property forfeited to the Wayne County Treasurer on March 1, 2013  
Certificate of Forfeiture recorded at Liber 50583 Page 1205Parcel Address:(if available): 8315 MARCUS, DETROIT

Property Description of the property:

N MARCUS LOT 138 BESTE-MARTIN SUB L32 P68 PLATS, W C R 17/423 30.60 X 117

Commonly known as: 8315 MARCUS, DETROIT

Dated this Day 9/9/2014

Raymond J. Wojtowicz  
Wayne County Treasurer



2015006005 L: 51947 P: 1167 QCD  
01/06/2015 02:30:14 PM Total Pages: 1  
Bernard J. Youngblood, Register of Deeds - Wayne County, MI  
ELECTRONICALLY RECORDED

**WAYNE COUNTY TREASURER**

**QUIT CLAIM DEED**

**(Issued under Act 206 Public Act of 1893, as Amended by Act 123 of Public Acts of 1999)**

Raymond J. Wojtowicz, Treasurer of the Charter County of Wayne, Michigan, hereinafter called the Grantor/Treasurer whose address is 400 Monroe, Suite 520, Detroit, Michigan 48226, by authority of Act 206 of Public Acts of 1893, as amended by Act 123 of Public Acts of 1999, as amended, conveys and quit claims to:

**DETROIT LAND BANK AUTHORITY**

hereinafter called the Grantee, whose address is:

**65 CADILLAC SQUARE SUITE 3200 DETROIT , MI 48226** the following

described premises located in the **CITY OF DETROIT, WAYNE COUNTY, MI**

Tax Parcel I.D. #: **17001684.**

Legal Description:

**N MARCUS 138 BESTE-MARTIN SUB L32 P68 PLATS, W C R 17/423 30.60 X 117**

**Commonly known as: 8315 MARCUS DETROIT, MI 48213**

For the full consideration of **\$0.00** Dollars.

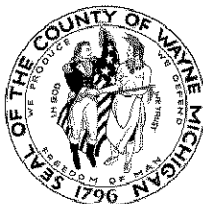
Date: **January 6, 2015**

Pursuant to the provisions of Section 78k(5)(c) and 78k(5)(e) parcels are subject to visible or recorded easements and rights of way; private deed restrictions; building restrictions of record; all future installments of special assessments and liens recorded by the State or the foreclosing governmental unit or restrictions or other governmental interests imposed pursuant to the Natural Resources and Environmental Protection Act being Public Act 451 of 1994. This conveyance is exempt from taxes pursuant to MCL 207.505(h)(1) and MCL 207.526(h)(I).

**Declaration of Conditions Subsequent.** This Declaration is made to give record notice of the conditions subsequent to the sale of the Property by imposition of the following restrictions on the sale to the Property:

- A. That Grantee or any subsequent Purchaser/Assignee shall pay all tax obligations due on the date the Deed is issued and shall keep current payment on all tax obligations for the two years following the date the deed was issued.
- B. That Grantee or subsequent Purchaser/Assignee shall either demolish the property within six months following the date of the deed or maintain and secure the Property for two years following the date of the deed from Grantor/Treasurer in accordance with local building, health and public safety ordinances.
- C. That failure of the Grantee or subsequent Purchaser/Assignee to comply with above clauses A and/or B or to cure the default within 30 days of written notice may result in a reversion of the title of the Property to the Grantor/Treasurer or assigned to the State of Michigan, County of Wayne, City, or Township where the property is located, at the discretion of the Grantor/Treasurer. The right of reversion of title shall reinstate fee simple absolute title to the Grantor/Treasurer or to Treasurer's assignee within 30 days of failure to cure default, unless extended at the Treasurer's sole discretion. Written notice of default and failure to cure default addressed to the Grantee and mailed to the Grantee's address as written on the deed shall be notice to any subsequent Purchaser/Assignee, unless a copy of the Property Transfer Affidavit (PTA) that was filed with the local Assessor and which includes any change of mailing address is hand delivered to and signed as received by said Grantor/Treasurer, or designated representative. DURING THE TAX YEARS THAT THE CONDITIONS SUBSEQUENT APPLY, THIS PROPERTY SHALL NOT BE SOLD, CONVEYED OR TRANSFERRED UNLESS ALL TAXES ARE PAID IN FULL. VIOLATORS SHALL BE PERSONALLY LIABLE TO PURCHASER AND/OR GRANTOR/TREASURER FOR DAMAGES AND AGREE TO SUBMIT TO THE JURISDICTION OF THE COURTS IN THE STATE OF MICHIGAN.

In Witness Whereof the Grantor, has signed and affixed the seal of the Wayne County Treasurer the day and year first above written.



*Raymond J. Wojtowicz*

Raymond J. Wojtowicz  
Wayne County Treasurer

STATE OF MICHIGAN )  
 )ss  
COUNTY OF WAYNE )

The foregoing instrument was acknowledged before me on this **6** day of **January**, **2015** by  
Raymond J. Wojtowicz, Wayne County Treasurer.

**FELECIA ANN TYLER**  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WAYNE  
MY COMMISSION EXPIRES Jul 29, 2019  
ACTING IN COUNTY OF **Wayne**

*Felecia A. Tyler*

Notary Public, Wayne County Michigan

**ERIC R. SABREE**

WAYNE COUNTY TREASURER

400 Monroe - 5th Floor

Detroit MI 48226-2942

**EXHIBIT 9**Make checks payable to:  
Wayne County TreasurerTaxpayer Information:  
(313) 224-5990Office Hours:  
8:00 a.m. - 4:30 p.m.  
Monday through FridayWeb: [treasurer.waynecounty.com](http://treasurer.waynecounty.com)  
Email: [taxinfo@waynecounty.com](mailto:taxinfo@waynecounty.com)

**Mailing Address:** Detroit Land Bank Authority  
65 CADILLAC SQUARE, SUITE 3200  
DETROIT MI 48226

## Tax Statement

**Number:** 2017 - 231703**Date:** 06/26/2017

01-17001684.



10214902

**Detroit Real Property Description:****Parcel ID:** 17001684.**SEV Amt:** \$0 - 2016**Address:** 8315 Marcus**PRE:** 0%

Detroit, MI 48213

**Legal Description:** N MARCUS 138 BESTE-MARTIN SUB L32 P68 PLATS, W C R 17/423 30.60 X 117

Tax Year	Base Tax	Total Amt Due	Status Description
2016	\$1,591.93	\$1,719.29	DELINQUENT REAL PROPERTY TAX

**Total: \$1,591.93 \$1,719.29** If this property is not foreclosed and is available for payment the amounts presented here are good on or before 06/30/2017.  
By providing these figures this office does not represent that this property can be redeemed or reclaimed.

**Rising Together****CITY OF DETROIT PHONE NUMBERS:**

Assessor's: (313) 224-3011

Demolition: (313) 224-3215

Land Bank: 1-844-BUY-DLBA

P&amp; DD : (313) 224-6380

Treasurer: (313) 224-3560

[treasuryinfo@detroitmi.gov](mailto:treasuryinfo@detroitmi.gov)[www.detroitmi.gov](http://www.detroitmi.gov)

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**WINGS AS EAGLES  
DELIVERANCE MINISTRY**  
Plaintiff

Case No.  
Hon.

v.

**CITY OF DETROIT**, a municipal corporation;  
**COUNTY OF WAYNE**, a municipal corporation; and  
**DETROIT LAND BANK AUTHORITY**, a public body corporate

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**JURY DEMAND**

Plaintiff demands a trial by jury.

Dated: December 4, 2020

Respectfully submitted,

**METRO DETROIT  
LITIGATION GROUP**



**By: STUART SANDWEISS (P60921)**

ATTORNEYS FOR PLAINTIFF

18481 West Ten Mile Road

Suite 100

Southfield, Michigan 48075

(248) 559-2400

Fax (248) 971-1500

stuart@metrodetroitlitigation.com

